

RESOLUTION NO. 10-59

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA HEREBY SELECTS INIMA USA CONSTRUCTION CORPORATION ("INIMA"), THE HIGHEST-RANKED PROPOSER, AS THE DESIGN/BUILD/OPERATOR FOR THE HIALEAH REVERSE OSMOSIS WATER TREATMENT PLANT PURSUANT TO A BEST AND FINAL OFFER PROCESS AND FURTHER AUTHORIZES THE MAYOR TO NEGOTIATE AND ENTER INTO A DESIGN/BUILD/OPERATE CONTRACT WITH INIMA AND IF THE MAYOR IS UNABLE TO ENTER INTO A CONTRACT WITH INIMA, THEN THE MAYOR IS AUTHORIZED TO NEGOTIATE AND ENTER INTO A CONTRACT WITH THE SECOND-RANKED PROPOSER, VEOLIA WATER NORTH AMERICA-SOUTH, LLC ("VEOLIA"), AND IF THE MAYOR IS UNABLE TO ENTER INTO A CONTRACT WITH INIMA AND VEOLIA, THEN THE MAYOR IS AUTHORIZED TO NEGOTIATE AND ENTER INTO A CONTRACT WITH THE THIRD-RANKED PROPOSER, AMERICAN WATER-ACCIONA AGUA, LLC.

WHEREAS, pursuant to Hialeah, Fla., Resolution 10-35 (Mar. 26, 2010), the City Council authorized the City to conduct a Best and Final Offer (BAFO) process for the selection of the Design/Build/Operator for the Hialeah Reverse Osmosis Water Treatment Plant; and

WHEREAS, on April 19, 2010 issued a Request for Best and Final Officers, which was supplemented and clarified by Addendum Nos. 4 and 5, and in response, all three pre-qualified proposers, American Water-Acciona Agua LLC, Inima USA Construction Corporation and Veolia Water North America-South, LLC., submitted Best and Final Offers; and

WHEREAS, on May 25, 2010 and June 1, 2010, the Blue Ribbon Committee convened and thereupon, made its recommendation to select Inima USA Construction Corporation as the Design/Build/Operator as the first or highest-ranked proposer and ranked Veolia Water North America-South, LLC as the second-ranked-proposer and American Water-Acciona Agua LLC as the third-ranked proper; and

WHEREAS, on June 2, 2010, the Mayor issued his recommendation, concurring with the ranking and selection of the Blue Ribbon Committee and further requesting authorization for negotiations commence upon the award and selection with a view towards entering into contract with Inima USA Construction Corporation; and

WHEREAS, the City Council, having received the Mayor's recommendation and the Interim Re Interim Report and Fact-Finding Evaluation of the Business and Technical Proposals dated May 24, 2010 and the Final Report and Fact-Finding Evaluation of the Price Proposals dated May 28, 2010 prepared by RW Beck and Parsons Water and Infrastructure, Inc., the City's representative and technical consultants; and

WHEREAS, the City Council determines that it is in the best interests of the City to accept the Mayor's recommendation and to select Inima USA Construction Corporation as the highest and first-ranked proposer and Veolia Water North America-South, LLC.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

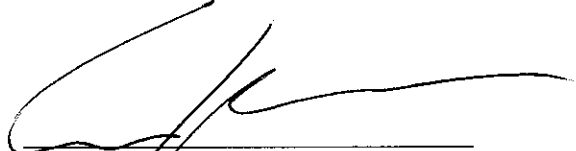
Section 2: The City of Hialeah, Florida hereby selects Inima USA Construction Corporation ("Inima"), the highest-ranked proposer, as the Design/Build/Operator for the Hialeah Reverse Osmosis Water Treatment Plant pursuant to the Best and Final Offer process.

Section 3: The City of Hialeah, Florida hereby authorizes the Mayor to negotiate and enter into a design/build/operate contract with Inima.

Section 4: The City of Hialeah, Florida further authorizes the Mayor, if the Mayor is unable to enter into a contract with Inima, to negotiate and enter into a contract with the second-ranked proposer, Veolia Water North American-South, LLC ("Veolia").

Section 5: The City of Hialeah, Florida further authorizes the Mayor, if the Mayor is unable to enter into a contract with Inima and Veolia, to negotiate and enter into a contract with the third-ranked proposer, American Water-Acciona Agua, LLC.

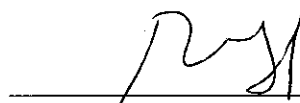
PASSED AND ADOPTED this 8th day of June, 2010.

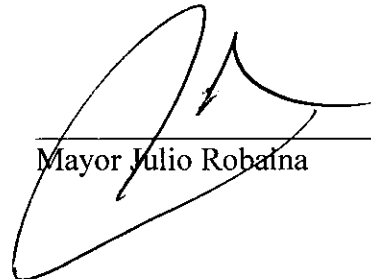


Carlos Hernandez
Council President

Attest:

Approved on this 10th day of June, 2010.



Rafael E. Granado, City Clerk

Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes."